

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

United States Court of Appeals
Fifth Circuit

FILED

June 8, 2009

Charles R. Fulbruge III
Clerk

No. 08-51171
Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee

v.

ALEXIS MORGANFIELD

Defendant-Appellant

Appeal from the United States District Court
for the Western District of Texas
USDC No. 5:03-CR-10-3

Before WIENER, STEWART, and CLEMENT, Circuit Judges.

PER CURIAM:*

The attorney appointed to represent Alexis Morganfield has moved for leave to withdraw and has filed a brief in accordance with *Anders v. California*, 386 U.S. 738 (1967). Morganfield has filed a response. Our independent review of the record, counsel's brief, and Morganfield's response discloses no nonfrivolous issue for appeal.

The record does reveal a clerical error in the judgment. *See* FED. R. CRIM. P. 36. The restitution order states the amount of restitution as both

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

“\$387,405.87” and “\$387,406.87.” The judgment should be amended to reflect that the amount of restitution is \$387,406.87, which is the total of the victims’ individual restitution awards. The judgment’s reference to “\$387,405.87” should be deleted and replaced with “\$387,406.87.”

Accordingly, counsel’s motion for leave to withdraw is GRANTED, counsel is excused from further responsibilities herein, and the APPEAL IS DISMISSED. *See* 5th Cir. R. 42.2. This matter is REMANDED for correction of the clerical error pursuant to FED. R. CRIM. P. 36. Morganfield’s pro se motion for appointment of counsel is DENIED.